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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ENRIQUE HERNANDEZ, Individually
and On Behalf of All Others Similarly
Situating,

Plaintiff,

v.

GUIDANCE SOFTWARE, INC.,
ROBERT VAN SCHOONENBERG,
REYNOLDS C. BISH, MAX
CARNECCHIA, JOHN COLBERT,
PATRICK DENNIS, MICHAEL
MCCONNELL, and WADE W. LOO,

Defendants.

Case No. 2:17-cv-06158-CAS-JEM
CLASS ACTION

**NOTICE OF VOLUNTARY
DISMISSAL**

Action Filed: August 18, 2017
Trial Date: None Set
Judge: Hon. Christine A. Snyder

Notice is hereby given that pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, plaintiff Enrique Hernandez ("Plaintiff") voluntarily dismisses with prejudice the individual claims of the Plaintiff only and without prejudice the claims of the putative class in the above-titled action against defendants (the "Action").

1 WHEREAS, Plaintiff filed the Action challenging the public disclosures
2 made in connection with the proposed acquisition of Guidance Software, Inc.
3 (“Guidance”), by OpenText Corporation, and Galileo Acquisition Sub Inc., pursuant
4 to an agreement and plan of merger filed with the United States Securities and
5 Exchange Commission (“SEC”) on or around July 26, 2017 (the “Transaction”);

6 WHEREAS, on September 18, 2017 the parties filed a Stipulation and
7 Proposed Order that, among other things, sought dismissal of the Action with
8 prejudice as to Plaintiff only pursuant to Fed. R. Civ. P. 41(a)(1) (the “Dismissal
9 Stipulation”). The Dismissal Stipulation further sought dismissal of the claims of
10 absent class members without prejudice and to have the Court retain continuing
11 jurisdiction over the parties solely for purposes of adjudicating any mootness fee
12 claim by Plaintiff’s counsel in the Action (as well as several related actions) related
13 to the dissemination of certain supplemental disclosures (the “Mootness Fee
14 Claim”);

15 WHEREAS, all issues regarding Plaintiff’s counsel’s Mootness Fee Claim
16 have now been resolved and the parties’ need for continuing jurisdiction related to
17 that claim has been mooted and eliminated;

18 WHEREAS, no class has been certified in the Actions;

19 WHEREAS, defendants have filed neither an answer nor motion for summary
20 judgment;

21 NOW, THEREFORE, PLEASE TAKE NOTICE that, in light of foregoing,
22 Plaintiff hereby voluntarily dismisses the Action pursuant to F.R.C.P. 41(a)(1)(A)(i)
23 with prejudice as to his individual claims and without prejudice as to the claims of
24 the putative class. Because defendants have filed neither an answer nor motion for
25 summary judgment, this notice is effective upon filing.

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2 Dated: January 25, 2018

WEISSLAW LLP

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4 By: /s/ Joel E. Elkins
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11 *Attorneys for Plaintiff Enrique Hernandez*

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16 **CERTIFICATE OF SERVICE**

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18 I, Joel E. Elkins, certify that on the 25th day of January, 2018, I caused a copy
19 of the foregoing document to be served via the Court's Case Management/
Electronic Case Filing system upon the following:

20 *All counsel of record*

21
22 /s/ Joel E. Elkins
Joel E. Elkins
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